

I want to remind you of what I said at the outset, that the Voting Rights Act of 1965 was one of the most important laws passed in modern American history. It has been reauthorized a number of times over the years, most recently in 2006. I proudly cast my vote in support of reauthorizing the Voting Rights Act. But a new bill introduced by our friend the Senator from Vermont, the senior Senator, sometimes invoking the name of that civil rights icon, John Lewis, his proposal would radically change the law as well, this time putting the Federal Government, not the State, in charge of new voting laws again.

Just a reminder: Back in 1965, part of the Voting Rights Act required States and jurisdictions with a history of discrimination to receive Federal preclearance before they could put new laws into effect.

In 2013, the Supreme Court of the United States struck down the portion of the law that set the formula for which States were included in that requirement. The Court ruled that it was unconstitutional because the coverage formula was outdated. The Court said history did not end in 1965.

Indeed, what happened when the Voting Rights Act was reauthorized in 2006, the proponents of that bill made no accounting for the tremendous progress in minority voting turnout that we have seen since that time. In other words, the Voting Rights Act worked. It worked miraculously, and thank goodness it did.

But the Supreme Court, in striking down the 1965 formula as opposed to the current-day rate of minority voting, the Court said the Congress based the law on 40-year-old facts having no logical relation to the present day.

Here is an example: The formula in 1965 required States to receive preclearance before they could put their own voting laws into effect if they had any test or device, as it was called, that restricts voting. That included things like literacy tests or subjective determinations of moral character. But thanks to the Voting Rights Act, those practices are nowhere to be found today.

The bill introduced by Senator LEAHY, the senior Senator from Vermont, would change the formula with language so broad that virtually every State in the Union and every local jurisdiction would have to get their election laws precleared by the Biden Justice Department before they could put them into effect. The trigger for that is a vague number of voting rights violations that wouldn't even require a finding of intentional discrimination. Nevertheless, these State and local governments would be required to get the sign-off of partisan bureaucrats at the Department of Justice to exercise their own constitutional authority.

I think it is important to keep in mind that the Framers of the Constitution wanted the States to chart their

own course in elections, not Washington bureaucrats. To quote the Supreme Court of the United States, "The Framers of the Constitution intended the States to keep for themselves, as provided [under] the Tenth Amendment [to the Constitution], the power to regulate elections." Yet, in any instance where your local election official wanted to make a commonsense change in the way your elections were actually carried out, you would have to ask "Mother May I" to the Department of Justice.

Based on this proposal, you would think there have been countless unenforced instances of voter discrimination that cry out for this sort of remedy, but you would be wrong.

The Department of Justice already has authority under section 2 of the Voting Rights Act to prohibit discrimination on the basis of race, color, or membership in a language minority group. During the entire 8 years of the Obama—the Obama—Justice Department, they filed only four enforcement cases in the whole United States under section 2—four.

So the narrative of widespread voter suppression is nothing but a propaganda tactic designed to support a political outcome. The push for a Federal takeover of elections is not about voter suppression at all. It is about unconstitutionally seizing power and never letting go.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Wyoming.

#### BORDER SECURITY

Mr. BARRASSO. Mr. President, today I come to the floor to talk about the crisis that is occurring at our southern border.

Joe Biden has been President now for about 4 months. In this time, illegal immigration at the southern border has more than doubled. We are now on a pace this year—this year alone—for the most illegal immigration in two decades. The numbers that we see, based on last month, we are talking about 2 million people coming to America this year illegally.

It seems to me that, on the first day in office, President Biden signed Executive orders that flipped on the green light that said: Come to America. He rolled out the welcome mat, and he sent a clear message that our borders are open. He shut down construction of the border wall, a wall that we have actually paid to have done, to be constructed. I have been there. The parts are lying on the ground and the workers stopped, on inauguration day, from putting up portions of the wall to close down the gaps.

He stopped all deportations for 100 days. He brought back the program known as catch-and-release. And since he took these actions—and I have talked to the Border Patrol on the ground, and they say the border has been overwhelmed.

Now, illegal immigrants are coming from all over the world. People say:

Well, it is an issue between Mexico and the United States. The people coming here are coming from all over the world. At the time I was there, we heard that over 50 countries have been represented in the people who have been captured, including Romania, Armenia, Bangladesh. People are flying to Mexico who can't come to the United States because of paperwork, who they are, what their intentions may be. They aren't allowed to get tickets to come to the United States so they fly to Mexico to come into the United States illegally.

The entire world knows that the border is open because that is the message sent out by this administration. And that, of course, includes criminals. Border agents have already arrested 95 convicted sex offenders. Border agents have arrested 95 convicted sex offenders coming into the country illegally, and this includes the last number of months.

And I will tell you, the sex offenders include a man from El Salvador who was convicted of raping a child in Washington State. We are talking about people who have been convicted in the United States, who are now out of the country, coming back in—conviction in Washington State. It also included a man from El Salvador who was convicted of sexually abusing a 9-year-old girl. This abuse took place in New York City, which is a sanctuary city.

This is what happens when our borders are open and the message is sent out around the world. And for the open borders crowd who like this sort of thing, some of whom are Members of the Congress of the United States, this is just collateral damage. It is all part of a political agenda.

It has been more than 2 months since President Biden put Vice President HARRIS in charge of the border. She has found time to make it to the Canadian border but not time to make it to the border between the United States and Mexico.

This week, and right now, the Vice President has been on her first overseas trip in the role as Vice President. She is going to Central America and to Mexico but not to the border. She has announced new gifts of American taxpayer dollars given to people from other countries.

When reporters asked her—and she did; I saw the sitdown interview and the video of it—if she was going to the border, she actually laughed. She thought it was a joke. It was very disappointing to see the Vice President acting in that way. She said: "I haven't been to Europe either," like it didn't matter. She hadn't been to Europe; there are a lot of places she hadn't been. The place the American people know she hasn't been is to the border between Mexico and the United States.

In reality, she knows. She knows that if she goes to the border—she knows that if she goes to the border between the United States and Mexico,

she knows that the news cameras will go with her. She knows that the media would broadcast the crisis that they see at the border to the whole world. She knows that, then, more and more Americans will see firsthand the truth for themselves. That is why the Vice President is not going to the border between Mexico and the United States.

The White House refuses to say it is a crisis. They refuse to say those words. They just want to use the word “challenge” instead of the reality of the crisis that I saw when I was there at the border with a group of Republican Senators. That is why they are doubling down on policies that caused the crisis.

Two weeks ago, the President released his budget for the coming year. It is the biggest budget proposal by any President in American history. It would nearly double Federal spending over the next decade. Yet the President's budget for the Department of Homeland Security, the Department that is supposed to keep our Nation safe, is flatlined. The President likes to say—and he has said it time and time again. He said it when he was in the Senate; he said it as Vice President of the United States; and now he says it as the President. He said: If you want to know somebody's values, just look at their budget.

Well, we have seen Joe Biden's budget, and we know his values. And his values are not those of supporting and promoting the security of our Nation through border security. The President's budget includes \$800 million in aid for Central America. I don't know if Joe Biden thinks you can bribe people with our own tax dollars to not cross the border. It is an absolute surrender, and it leaves our borders wide open.

Our southern border is in crisis, but the crisis isn't limited to the border itself. President Biden has also tied the hands of our immigration officials all across America. The Washington Post came out with a story, and they put it this way. I want to make sure I have it absolutely accurate so I am going to read it to you.

It says: Under President Biden, ICE—Immigration and Customs Enforcement—“is an agency on probation.” This is the Washington Post. It says:

Biden has placed ICE deportation officers on a leash so tight that some say their work is being functionally abolished.

That is the Washington Post on the President of the United States and what he has done with regard to our borders and our immigration authorities with his very flatlined budget for the Department of Homeland Security.

The article goes on, and it says:

ICE carried out fewer than 3,000 deportations last month. The agency's 6,000 officers currently average one arrest every two months.

One arrest every 2 months.

Hundreds of thousands of illegal aliens have court orders for deportation. Yet, despite these enormous num-

bers, deportations have never been lower, never been lower. No wonder the crisis is getting worse.

I heard about it all last week over Memorial Day as I traveled around the State of Wyoming. People are very concerned about this disregard for our borders and for the support that our Immigration and Customs Enforcement officers need. So it is no wonder to me that the people of Wyoming are concerned, and I imagine that people all around the country are concerned. My colleagues heard it as well, as they traveled their home States just in the last week.

The border really is one of the top issues that I am asked about every weekend in Wyoming. I will be heading home again tomorrow night for the weekend, traveling the State, and I expect to hear more and more about it this coming weekend. The American people want to keep the borders secure, and they want to be safe at home.

We know what to do. We know what works. The border agents told President Biden's transition team before he was inaugurated what we needed to do to keep the border secure, what works, what wouldn't work. They say enforce the law, close the loopholes, the loopholes that encourage illegal immigration. They say finish the wall, the wall that we have already paid for. And they say bring back the policy known as “Remain in Mexico.”

Until we take these basic steps, the crisis is going to continue, the border is going to remain open, and the American people will continue to come to us to say there is more that can be done and should be done and must be done because the American people know that when the border is not secure, that people of America continue to be at heightened risk.

Thank you.

I yield the floor.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mrs. GILLIBRAND. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. HICKENLOOPER). Without objection, it is so ordered.

UNANIMOUS CONSENT REQUEST—S. 1520

Mrs. GILLIBRAND. Mr. President, I rise for the sixth time to call for this entire body to have the opportunity to consider and cast their votes on the Military Justice Improvement and Increasing Prevention Act. This commonsense reform would ensure that people in the military who are subjected to sexual assault and other serious crimes have the opportunity to get the justice that they deserve.

Under the current system, fewer than 1 in 10 sexual assault cases that are considered for command action are sent to trial, and under the current culture, nearly 2 in 3 sexual assault survivors experience some form of re-

taliation for reporting that crime. That means a survivor of sexual assault is far more likely to face consequences than an assailant.

When a 2016 Pentagon survey showed that 58 percent of survivors perceived retaliation for reporting their assaults, commanders said it was unacceptable, and Congress demanded action; but instead of working to change the system or the culture, the response was to make retaliation a specific crime, despite the fact that it already was a chargeable offense under title 10, section 1034 of the United States Code. It was nothing more than window dressing. We know that is true because, in 2018, when the same survey came out again, the perceived retaliation rate went up to 64 percent.

The DOD estimates that 20,500 servicemembers are sexually assaulted each year. So you may wonder: How many documented prosecutions for retaliation did we see in the most recent year? The answer: One. Only one person has been charged for retaliation in the last year, and there have been zero convictions reported. To me, that seems more of a joke.

Under our bill, the ability to charge and prosecute retaliation would move outside the chain of command, giving survivors more confidence to come forward in knowing the prosecutors would be free to protect them. Under the status quo and under the chairman's proposal, the ability to prosecute remains in the wrong hands.

It is time to remove retaliation and other serious crimes from the purview of the chain of command. It is time to professionalize the military justice system to remove bias, protect our servicemembers, and deliver justice.

The numbers speak for themselves, and every single number represents a person—a survivor, a family member. We owe it to our survivors—those who have gone through the horrific experience of being assaulted only to experience retaliation from their fellow brothers and sisters in arms—to change this system. The Military Justice Improvement and Increasing Prevention Act will make the changes that they need.

Every day we delay a vote on this legislation is another day we deny justice to our servicemembers—the people who do so much for and give so much to our country. There is no reason to make them wait any longer.

Mr. President, as if in legislative session, I ask unanimous consent that, at a time to be determined by the majority leader in consultation with the Republican leader, the Senate Committee on Armed Services be discharged from further consideration of S. 1520 and the Senate proceed to its consideration; that there be 2 hours for debate, equally divided in the usual form; and that upon the use or yielding back of that time, the Senate vote on the bill with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

The Senator from Oklahoma.

Mr. INHOFE. Mr. President, in reserving the right to object, the chairman of our committee and I have both agreed that we need to be debating this during our markup, and we intend to do that.

For that reason, I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Iowa.

Ms. ERNST. Mr. President, I rise to support my colleague and friend from New York in the call for the consideration of the Military Justice Improvement and Increasing Prevention Act. This is an effort whose time is well past due.

For too long, our servicemembers have faced the threat and traumas of sexual assault in their own ranks. We must act to prevent these attacks and hold perpetrators accountable. Sixty-five other Members of this Chamber recognize the urgency of our servicemembers' plight. It is time for debate and consideration.

I yield the floor.

Mrs. GILLIBRAND. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. MENENDEZ. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### RUSSIA

Mr. MENENDEZ. Mr. President, I come to the floor in advance of next week's summit in Geneva during which President Biden will meet with Russian President Vladimir Putin for the first time as Commander in Chief, and I would like to share my views on the current state of U.S.-Russian relations and how we must respond to the Kremlin's continued aggression.

I have spent years deeply engaged in efforts to hold Russia accountable for its aggressive and destabilizing behavior under Putin.

During the Obama administration, I worked to hold Russia accountable for its invasion of Ukraine. Indeed, I was sanctioned by Putin himself for taking up the cause of Ukrainian sovereignty and freedom.

During the 2016 election cycle, I sounded the alarm over Russian efforts to sow chaos in our elections long before we knew of the extent and sophistication of the Russian cyber campaign to undermine American democracy.

Throughout the previous administration, I called out President Trump for cowering to Putin at every turn. Trump's refusal to hold Putin to account for attacking our elections was a key motivator behind the Senate's passage of the Countering America's Adversaries Through Sanctions Act, otherwise known as CAATSA. This comprehensive framework for oversight and accountability in U.S. policy towards Russia remains the law of the

land and the guiding mandate for how the United States must respond to Kremlin aggression.

Now, I appreciate the Biden administration's desire for a stable and predictable relationship with Russia, but sometimes we don't get to choose the circumstances of our engagement. When we take stock of Russia's behavior in recent years, we see that in every arena Putin has chosen escalation over stability and predictability.

Next week in Geneva, I have every expectation that President Biden will be more assertive with Putin than his predecessor. I urge him to seize this opportunity to call out the Kremlin for its litany of aggressive actions and announce appropriate measures in response.

The President can start with Russia's growing aggression in cyber space, starting with last year's SolarWinds cyber attack. We know that Putin's foreign intelligence service orchestrated this attack and that he must be held accountable for it as well as the more recent hack of USAID and its network of contractors and grantees.

While I am unaware of any evidence that the most recent ransomware attacks on U.S. infrastructure were orchestrated by the Russian state, we know, however, that criminal gangs operate on Russian soil, and we believe that it is those criminal gangs that did such attacks. The United States has to make clear that harboring criminals who seek to attack American businesses, hospitals, pipelines, city governments, and other institutions is wholly unacceptable.

Let me move on to Ukraine. I urge President Biden to reiterate our policy of nonrecognition of Russia's illegal annexation of Crimea and a call for a serious return to the negotiations to end the war in the Donbas. The United States must have a seat at the table in the Normandy Format and make a concerted effort to end the war on Ukrainian soil that has gone on for far too long. An acceptable resolution to this conflict will not come without robust U.S. engagement the likes of which we have not seen for years.

I am glad that President Zelensky will visit Washington in the next month or so, and we look forward to meeting him in the Senate.

NATO, too, shares a responsibility to take concrete steps next week in support of Ukraine. The essential security assistance provided by the United States and others must be backed up by tangible progress towards NATO membership for Ukraine and Georgia. The door was opened 13 years ago at the Bucharest summit. We have seen little progress since then. As these countries continue to pursue the necessary reforms necessary for ultimate entrance into NATO, NATO has an obligation to start the membership action plan process.

On Nord Stream, the administration should reconsider sanctions waivers on NS2 AG and Matthias Warnig. If the

pipeline is completed, the United States should work to ensure that it does not become operational. This pipeline is a bad deal for Europe and its energy security and strongly opposed by citizens across the European continent. Despite what some have said, it is not too late for the United States to make a tangible difference here. We can stop this malign Kremlin influence project if we act with resolve and real diplomatic strategy.

Last week, Putin said that Ukraine must show good will—Ukraine must show good will—if it wants gas to flow through to Europe. So what is Putin's definition of "good will" exactly? For the people of Ukraine to cease defending their sovereignty? Such bellicose statements tell us that Putin is confident; he is emboldened. Does anyone really believe that Putin would not cut off gas flow through Ukraine once Nord Stream is complete? The United States cannot accept this insidious behavior. We need a real strategy with respect to Nord Stream.

In Syria, Russia continues to aid and abet the brutal and criminal Assad regime only to secure its own interests; namely, military access to the Mediterranean through which it can threaten Europe's southern flank. Indeed, last year the United Nations accused Russia itself of war crimes in Syria for multiple incidents of launching indiscriminate attacks on civilian areas. In 3 years alone, the Syrian Observatory for Human Rights estimated that Russian military activities in Syria caused nearly 18,000 casualties, including 8,000 civilians.

Let me be clear. These are war crimes, and there must be accountability. Even as President Biden looks for limited ways to cooperate with Russia in Syria to try to promote some stability and humanitarian access, he must not overlook this grim track record and seek to hold Putin to account. The world is watching whether the United States will stand up for the vulnerable and the voiceless.

Let me now turn to the ongoing and tragic repression of the Russian people. Earlier this year, the world drew inspiration from the courage of Russian protesters who rallied in support of Alexei Navalny and a democratic future. We know that it will be the people of Russia, not the United States or anyone else, who will steer their struggle for democracy and ultimately determine their own destiny. Yet, as Americans, we must stand in solidarity with the Russian people.

I applaud President Biden's commitment to make democracy and human rights the centerpiece of U.S. foreign policy, but what does that mean for our approach to Russia? First, we must respond to egregious chemical weapons attacks whenever and however they take place. The Chemical and Biological Weapons Act required the administration to announce a new round of